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COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLES 16 AND 17 OF THE COVENANT

Concluding observations of the Committee on Economic, Social and Cultural Rights

Cameroon

1. The Committee considered the initial report of Cameroon (E/1990/5/Add.16) at its 41st, 42nd and 43rd meetings on 23 and 24 November 1999 and, at its 54th meeting, held on 2 December 1999, adopted the following concluding observations.

A. Introduction

2. The Committee welcomes the initial report submitted by Cameroon, despite the considerable delay, and appreciates the candid written replies to the Committee's list of issues (E/C.12/Q/CAMER/1). The Committee regrets, however, that the delegation, despite all its efforts to answer the Committee's questions, could not do so in a fully satisfactory manner. It is a matter of regret that a delegation of experts from the capital was unable to attend the meetings, as this would have made for a more detailed and constructive dialogue.

3. The Committee notes that a lack of concrete and specific information, both in the written report and in the replies provided by the Government of the State party, and the absence of a core document prevented the Committee from making an effective evaluation of the actual situation concerning the enjoyment by the people of Cameroon of the human rights provided for in the Covenant.

4. The Committee notes the delegation's undertaking to provide statistical data and more specific information on various economic, social and cultural indicators in its second periodic report.

B. Positive aspects

5. The Committee views as a positive development the establishment of the Ministry of Women's Affairs in 1997, with a special mandate to promote equality of women and eliminate all forms of discrimination against women in all spheres of Cameroonian society.

6. The Committee notes with satisfaction the increase in the growth rate of the State party's gross domestic product in 1998 to 5 per cent and the decrease in the rate of inflation to 1.6 per cent in the year ending June 1998 from 9.6 per cent a year earlier. These positive developments contribute to an environment conducive to more effective implementation of the rights under the Covenant.

7. The Committee welcomes the recent 30 per cent increase in the salaries of government employees and the rehabilitation of Cameroon's social insurance fund, the Caisse nationale de prévoyance social, to ensure the payment of appropriate funds to pensioners.

C. Factors and difficulties impeding the implementation of the Covenant

8. The Committee notes that the repayment of external debt by Cameroon, which absorbs approximately two thirds of the country's export earnings, negatively affects the ability of the Government to allocate sufficient resources to the social sector.

9. The Committee notes the prevalence of certain traditions, customs and cultural practices in Cameroon which continue to impede the full enjoyment by women of their rights under the Covenant.

10. The Committee notes that the Government's economic reform programme for 1998/99, which implemented the structural adjustment programme in Cameroon approved by the International Monetary Fund, the World Bank and the Caisse française de développement, while increasing the real GDP growth rate has impacted negatively on the enjoyment of economic, social and cultural rights by increasing poverty and unemployment, worsening income distribution and causing the collapse of social services.

D. Principal subjects of concern

11. The Committee is concerned about the exact legal status of the Covenant in the Cameroonian legal system. The Committee regrets that the delegation has not been able to clarify the position of the Covenant in Cameroonian law, nor provide any specific references to cases in which the Covenant has been invoked in national courts of law.

12. The Committee is concerned about the lack of transparency and degree of independence of the National Committee on Human Rights and Freedoms, the findings of which are not published or made public.

13. The Committee is deeply concerned that the Government of Cameroon has not yet embarked on the necessary law reform to repeal laws which maintain the unequal legal status of women, particularly in aspects of the Civil Code and the Commercial Code relating to, inter alia, the right to own property and the laws regarding credit and bankruptcy, which restrict women's access to the means of production. They are in flagrant violation of the non-discrimination and equal treatment provisions of the Covenant and are inconsistent with the recently amended Constitution of Cameroon which upholds the equal rights of all citizens of Cameroon.

14. The Committee deplores the lack of progress made by the Government in combating the continuing discriminatory practices against women and girls which impede the enjoyment of their rights under the Covenant. Such practices include polygamy, the forced early marriage of girls and discriminatory laws which prevent women from inheriting land.

15. The Committee deplores the inadequacy of measures taken by the Government to combat, especially by means of educational programmes, the enduring practice of female genital mutilation, which is generally practised on young women and girls in the far north and south-west provinces of Cameroon.

16. The Committee deplores the lack of measures taken to eliminate domestic violence against women, which is still regarded as culturally acceptable by certain sectors of society.

17. The Committee deplores the lack of government action to protect the rights of workers on rural plantations by safeguarding for them just conditions of work. The Committee was deeply concerned about the replies from the delegation that such workers were free to negotiate the conditions of their employment, as the Government is obliged under the Covenant to ensure that all workers enjoy favourable conditions of employment, including fair wages, safe conditions of work and a reasonable limitation on working hours.

18. The Committee is concerned that the Government has not yet introduced legislation to prohibit sexual harassment in the workplace which, according to information received by the Committee, is a widespread practice in Cameroon.

19. The Committee regrets that the minimum wage set by the Government is not adequate to enable workers to live above the poverty line, let alone to provide a decent standard of living for themselves and their families.

20. The Committee regrets the lack of specific information in the written replies from the State party, and from the delegation itself, concerning the reasons for the refusal to recognize the National Union of Teachers of Higher Education since 1991.

21. The Committee is deeply concerned about the increasing incidence of poverty and unemployment in Cameroon, especially among the most vulnerable groups, such as minority groups and the elderly, and among the rural population. The Committee is especially alarmed by figures regarding poverty in Cameroon. which reveal that 55 per cent of the population were living below the poverty line in 1998 and that 40 per cent of the rural population live in poverty

compared with 15 per cent of the urban population. In this regard, the Committee is concerned about the inadequacy of social security with regard to child maintenance for single parents and low-income families.

22. The Committee regrets the lack of access to potable water for large sectors of society, especially in rural areas where only 27 per cent of the population have access to safe water (within reasonable reach), while 47 per cent of the urban population have such access.

23. The Committee is concerned about the protection of the rights of the Baka Pygmies, in particular their right to an adequate standard of living including the right to food, which have been adversely affected by the depletion of the natural resources of the rainforest upon which they depend for subsistence, and by the compulsory acquisition by the Government of their land.

24. The Committee is concerned about the reportedly high incidence of forced evictions in the rural areas of Cameroon, which have not been addressed in the written replies by the State party.

25. The Committee is concerned about the inadequacy of family planning policies and programmes in Cameroon, which have failed to reduce infant and maternal mortality. The Committee is also concerned about the high level of clandestine abortion in Cameroon, which is in part responsible for the high maternal mortality rate.

26. The Committee notes with regret the statement by the State party in its written replies that medical facilities for all sections of the population remain inadequate and unequally distributed. The Committee also regrets that the replies provided by the State party have not clarified the situation with regard to the provision of health services in Cameroon.

27. The Committee notes with deep concern that there is no legislation in Cameroon which provides for free primary education. The Committee regrets the requirement of a parental contribution in the form of compulsory fees levied by primary schools which, in view of high levels of poverty, greatly restrict access to primary education, particularly for girls.

28. The Committee is deeply concerned about the inadequate salaries earned by teachers and the lack of school buildings and other infrastructure and of services, particularly in rural areas. The Committee also deplores the imbalance in the distribution of education resources between Cameroon's 10 provinces.

29. The Committee is concerned about the high level of illiteracy still existing in Cameroon. It also notes with deep concern the cultural preference given to the education of male children. This is reflected in the higher illiteracy rate of women, which is 49.9 per cent compared with 30 per cent for men.

30. The Committee regrets that the delegation was unable to provide specific information concerning the different segments of the population which are enrolled in higher education.

E. Suggestions and recommendations

31. The Committee urges the State party to take all appropriate measures, including the enactment of legislation, to ensure that all the people of Cameroon enjoy the economic, social and cultural rights set forth in the Covenant.

32. The Committee calls upon the State party to take more active and positive steps to address the inequality of and discriminations against women in Cameroon, in law and fact. In particular, the Committee urges the State party to repeal all provisions of the Civil and Commercial Codes which discriminate against women.

33. The Committee urges the Government to prohibit customary practices which violate the rights of women and to take active measures to combat such practices and beliefs by all means, including educational programmes. Government action should focus, in particular, on the elimination of the practices of polygamy, forced marriages and female genital mutilation, and the bias in favour of the education of boys. The State party is requested to report on the progress achieved in this regard in its second periodic report.

34. The Committee calls upon the State party to introduce specific legislation and policies to prohibit domestic violence and sexual harassment in the workplace, with a view to strengthening the protection of women.

35. The Committee urges the State party to take effective measures to protect the right of workers on rural plantations, to ensure that they enjoy just and favourable conditions of work.

36. The Committee urges the State party to adopt appropriate remedial action, including a National Strategy against Poverty, to deal with the acute problem of poverty in Cameroon. The Committee suggests in this regard that the State party consult with the specialized agencies and competent United Nations bodies prior to the formulation of such a strategy.

37. The Committee urges the State party to review its legislation and policy regarding child maintenance, with a view to ensuring the provision of adequate social security for single parents and low-income families.

38. The Committee recommends that the State party review its macroeconomic reform programmes with respect to their impact on the standard of living of vulnerable groups, particularly in the rural areas, and to make efforts to adjust these reforms in a way that better responds to the current needs of such groups. The Committee recommends in this regard that in negotiations with international financial institutions, the State party take into account its international legal obligations to protect, promote and fulfil economic, social and cultural rights.

39. The Committee urges the State party to take effective measures to protect the right of the Baka Pygmies to an adequate standard of living, in particular their right to food, when negotiating contracts for projects which impact negatively on their lives.

40. The Committee calls upon the State party to make safe drinking water accessible to the entire population.

41. The Committee urges the State party to implement laws and policies to combat the problem of forced evictions, in accordance with General Comments Nos. 4 and 7 of the Committee.

42. In its second periodic report, the Committee would appreciate more concrete information concerning medical services and the problems facing vulnerable groups with regard to access to medical services, especially in rural areas. The Committee would also like more information on the effectiveness of the national pharmaceutical policy in providing high-quality generic medications to all sectors of society.

43. The Committee recommends that the Government take effective measures to end all forms of compulsory parental contribution for primary education. In this regard, the Committee urges the State party to allocate increased resources to education, in particular for infrastructure and human resources, especially in rural areas. In this connection, the Committee draws the attention of the State party to its General Comment No. 11.

44. In its second periodic report, the State party is requested to provide specific and detailed information on the enjoyment by women of the rights provided for in the Covenant.

45. The Committee urges the State party to review its policies on health in order to address, in particular, maternal mortality, adolescent pregnancies and the HIV/AIDS epidemic. In this respect, the Committee also urges the Government to review its family planning policies with a view to increasing access to information concerning contraceptives through educational programmes.

46. The Committee also recommends that the Government of Cameroon avail itself of technical assistance from the Office of the United Nations High Commissioner for Human Rights and from the relevant United Nations specialized agencies in the preparation of its second periodic report.

47. The Committee urges the State party to take necessary measures to ensure that the provisions of the Covenant are widely disseminated, through human rights education in all curricula, and among all sectors of society, particularly among the legal profession, members of the judiciary and administrative authorities.

48. The Committee requests the State party to take steps to disseminate widely these concluding observations and submit its second periodic report by 30 June 2001, so that the Committee may be kept informed about the progress made in implementing the rights set forth in the Covenant and the recommendations of the Committee in this regard.